

REMARKS

This Amendment is made in response to the Final Office Action dated January 27, 2004. Claims 1-44 and 65-70 are pending in this application. Claim 6, 7, 10, 12, 27, 29 and 39 remain withdrawn from consideration for being drawn to a non-elected species. Re-examination and reconsideration of the pending claims is respectfully requested.

The Examiner has rejected claims 1-5, 8, 9, 13, 16-26, 30, 31, 33-36, 40, 41, 43, 44 and 65-70 under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,432,130 to Hanson ("the Hanson patent"). The Examiner also has rejected claims 11, 28, 37 and 38 under 35 USC §103(a) as being unpatentable over the Hanson patent in view of Applicant's statements appearing in the pending specification. Lastly, claims 14, 15, 32 and 42 were rejected under 35 USC §103(a) as being unpatentable over the Hanson patent in view of U.S. Patent No. 6,302,875 to Makower et al. ("the Makower patent"). These rejections are respectfully traversed.

The Examiner maintains that the declaration filed on November 12, 2003 is ineffective to overcome the Hanson patent. Applicants hereby submit a Supplemental Declaration of Prior Invention Under 37 CFR § 1.131 which provides additional evidence to support Applicants' reduction of practice prior to the effective date of the Hanson patent. The attached document was in existence prior to April 20, 2000, the effective filing date of the Hanson patent. The document includes both sufficient written disclosure along with photographs of a prototype of a device that was made and tested prior to the effective filing date of the Hansen patent. This evidence, along with the

previously submitted Rule 131 Declaration, should sufficiently establish Applicants' invention prior to the effective date of the Hansen patent.

In view of the foregoing, Applicants respectfully submit that all claims are now in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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